

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
NORTHWESTERN DIVISION**

Harlan Gunnufson,)	
)	
Plaintiff,)	ORDER GRANTING MOTION TO
)	CHANGE VENUE
vs.)	
)	
)	
Sanford Health System; MeritCare Health)	
System; Theodore Sawchuck, M.D.;)	
and Robert Arusell, M.D.,)	
)	Case No.: 4:10-cv-093
Defendants.)	

On December 23, 2010, plaintiff initiated the above-entitled action by complaint in the Northwestern Division. On December 29, 2010, he filed a Motion to Change Venue. Therein he requested that the action be reassigned to the Southeastern Division as all defendants either reside or do business in Cass County, North Dakota.

Defendants filed an answer to plaintiff's complaint on January 21, 2011. Therein they objected, inter alia, to the assignment of this action to the Northwestern Division.

Division assignments are governed by Local Civil Rule 3.1, which provides following in relevant part:

All civil cases must be assigned to the division where the action arose or where the defendant resides, with the trial to be held within that division.

D.N.D. Civ. L.R. 3.1.

There is no dispute over the fact all of defendants reside or do business primarily in the Southeastern Division. Moreover, both sides agree that this action should be reassigned to the Southeastern Division. Accordingly, plaintiff's Motion to Change Venue (Docket No. 3) is

GRANTED. The above-entitled action shall be reassigned to the Southeastern Division.

IT IS SO ORDERED.

Dated this 24th day of January, 2011.

/s/ Charles S. Miller, Jr. _____
Charles S. Miller, Jr.
United States Magistrate Judge